

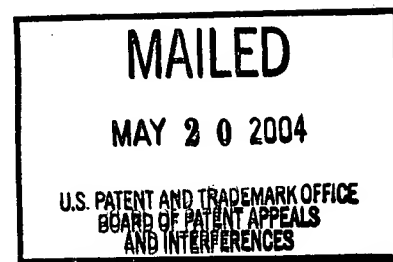
The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Ex parte GIORGIO TRANI et al.

Application No. 09/678,008



**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

This application was electronically received at the Board of Patent Appeals and Interferences on April 23, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below.

The Appendix of the Appeal Brief filed on October 16, 2003, is defective. There is an error in claim 8, line 3, of the Appendix as follows: "sledging" should be "wedging."

Additionally, the Amendment filed on May 21, 2002, was only entered in part. The Amendment on page 1 contains the notation "N.E." next to the change to the Specification. The examiner, in the Office action of June 24, 2002, did not

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appear to notify the applicants that the Amendment was only partially entered. The Appeal Brief indicates that all amendments have been entered and the Examiner's Answer, entered on December 30, 2003, also indicates the status of amendments after final rejection in the Appeal Brief is correct. Thus, the status of the Amendment of May 31, 2002, needs to be clarified in that it was only entered in part.

Accordingly, it is

ORDERED that the application is electronically returned to the examiner for obtaining a revised Appendix to the Appeal Brief filed on October 16, 2003, for clarifying the status of the Amendment filed on May 21, 2002, and for such further action as may be appropriate.

**BOARD OF PATENT APPEALS  
AND INTERFERENCES**

By:

  
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